

JS 44 (Rev. 02/19)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

J. MICHAEL BROWN; YOUNG
 AMERICANS FOR LIBERTY AT JONES COUNTY JUNIOR COLLEGE

(b) County of Residence of First Listed Plaintiff Jones County
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

CODY W. GIBSON (Miss. Bar No. 103967)
 Gibson & Mullennix PLLC
 405 Tombiqbee Street

DEFENDANTS *Jones Co. Jr. College Board of Trustees of Jones County Jr. College Jesse Smith, Mark Easley, Gwen Macee, et al*
 County of Residence of First Listed Defendant Jones County *State Ark*
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant
 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District (specify)
 6 Multidistrict Litigation - Transfer
 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 28 U.S.C. §§ 2201 and 2202, 42 USC 1983, Fed. R. Civ. P 57, 65, 42 USC 1988
 Brief description of cause:
 First and Fourth Amendment violation of Student

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____ CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 9-3-19 SIGNATURE OF ATTORNEY OF RECORD 

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT \$400.00 APPLYING IFP _____ JUDGE Starrett MAG. JUDGE Parker

0538-4079350

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Exhibit A

- during the Committee's deliberations
5. Present evidence in his/her own behalf including witnesses
 6. Have reasonable cross-examination of the testimony against him/her

HEARING PROCEDURES

1. The college promises to all students access to due process.
2. Hearings will not be open to the public.
3. Records of the disciplinary hearings of the Student Affairs Committee will be documented and a secretary will be provided to keep a written digest of the proceedings. Records will be kept by the Vice President of Student Affairs in a locked file. Only those persons directly involved in a case may have access to the records pertaining thereto.
4. The hearing will be conducted in an orderly manner.
5. The accused will have an opportunity to be heard in his own defense. All recommendations of action shall be based upon the evidence presented which are determined to be in compliance of policies, rules, and regulations.
6. The accused will have the opportunity to hear and refute all testimony against him/her. The accused may present any evidence in his own behalf, may reply to charges in his own words, and may present testimony in his behalf or have others present to testify on their behalf only related to the case at hand.
7. All matters upon which the decision is based must be introduced during the hearing.
8. The committee will consider the case in private and deliver the verdict directly to the accused.
9. Right to the appeals process by consulting the Office of Student Affairs.

CODE OF CONDUCT

To order college living in such a way that the interests of the college community as a whole and of the individual members are best served, the administration, faculty, and Student Government

Association have collaboratively established the following Code of Conduct. Although not all-inclusive, these statements concerning conduct apply to all students. Violation of this code would cause students to be subject to disciplinary actions. Students who register at the college agree to conform to its regulations and policies. The Student Affairs Committee may take action they deem appropriate for any violation of college regulations. The following actions are violations of college regulations:

1. The manufacture, use, sale, possession, consumption, distribution, or abuse of mind altering or controlled substances, or evidence of consumption of controlled substances while on campus or a college approved activity on or off campus. Any student convicted of illegal use, possession, or sale of a drug may be suspended from the residence halls of Jones County Junior College for one calendar year regardless of whether or not the illegal act that gave rise to the conviction was committed on the College campus.
2. The possession, consumption or evidence of consumption of alcoholic beverages while on campus, or a college approved activity on or off campus. Evidence of consumption includes the possession of an empty container on campus or at a college approved activity on or off campus.
3. Use of tobacco product (in any form) the use of synthetic smoking products or the use of electronic smoking products on college-owned property or in college-owned vehicles.
4. Physical abuse, fighting, threats of physical abuse, mental abuse, bullying or hazing of any person including self on campus or at college-sponsored or supervised functions or conduct of any type which threatens or endangers the health or safety of any person (including self). Hazing is defined as the subjection of any student to any embarrassing, ridiculous, humbling, or abusive act willingly or unwillingly.
5. Any form of actual or attempted sexual assault, domestic violence, dating violence, or stalking, as defined by college policy (p 107-108).
6. Participation in gambling activities of any form.

7. Intentionally issuing bad checks, ignoring legally binding financial obligations, or failure to pay indebtedness to the college.
8. Plagiarism, cheating, or knowingly furnishing false information to the college with intent to deceive or other forms of dishonesty in college related affairs.
9. Disruptive activity, which is any action by an individual, group, or organization to impede, interrupt, interfere with, or disturb the holding of classes, the conduct of college business, or unauthorized events and activities of any and all segments of the college.
10. Failure to comply with directions of college officials or law enforcement officers acting in the performance of their duties or to identify oneself to these officers when requested to do so. For this purpose, all students are required to have their identification cards on their person at all times when outside the residence hall to which they have been assigned by the institution. The same regulations apply to students who are domiciled elsewhere. ID cards are used for identification of students in case of accidents, emergencies, or cases where students are suspected of involvement of violations. Lending this card to anyone or failure to present it when requested by authorized personnel is a violation of college regulations and subjects the holder to disciplinary action.
11. Forgery, alteration, or misuse of college documents, records, or ID cards. Students falsifying admission records may be denied admission to the college.
12. Failure to adhere to official notices from college personnel, including electronic notices and notices on bulletin boards. Ignorance of notices will not be accepted as an excuse.
13. Disorderly conduct or breach of the peace including rioting, inciting a riot, assembling to riot, inciting to raid, and assembling to raid college units.
14. Possession of firearms, explosives (including fireworks), swords, daggers, straight razors, knives, dangerous chemicals or other weapon on campus or in automobiles in campus parking areas.
15. Knowingly issuing a false report of a bomb, explosive, firearm, dangerous chemical or other weapon, or knowingly activating a false fire alarm.

16. Obstruction of the free flow of traffic, both pedestrian and vehicular, on college-owned or college-controlled property, or violation of campus motor vehicle regulations.
17. Disorderly conduct, sexual assault, lewd, indecent, or obscene conduct, or public profanity on campus or at a college function.
18. Refusing to report to an administrative office when requested to appear.
19. Vandalism or malicious destruction, damage, or misuse of public or private property, including library materials.
20. Theft, larceny, embezzlement, or the temporary taking of the property of another.
21. Violation of campus curfew (2:00 am unless notified by Housing Office of earlier time) or violation of campus quiet hours (beginning at 10pm unless otherwise notified).
22. Unauthorized entry into or use of college facilities, including both buildings and grounds, or aiding unauthorized entry or use by another person.
23. Use of open flame of any kind (candles are specifically prohibited in residence halls) or intentionally setting or adding to an unauthorized fire on campus.
24. Failure to adhere to emergency procedures as instructed by college personnel.
25. Violation of College policies on audio/video recording, cell phones, or the Electronic Usage policy.
26. Violations of college established policies or regulations, including regulations in the Student Handbook and other college publications pertaining to student organizations, students, faculty, administrative staff, non-academic employees, or procedures concerning the time, place, and manner of public expression.
27. Violation of rules governing residence on college-owned or college-controlled property.
28. Violation of state, local, or federal laws.
29. Student conduct which shows disrespect and significantly interferes with college teaching, research, administration, disciplinary procedures, or other activities, including public service functions or other authorized activities on college premises.

In addition to these rules and regulations, all state laws pertaining to any act which, if committed within the State of Mississippi, would be criminal and punishable will also be criminal and punishable on the Jones campus, as authorized by Chapter 105, Section 37-105-9, Mississippi Code 1972. This Code of Conduct is not and does not attempt to be totally comprehensive. All students are expected to conduct themselves on and off campus in such a manner as to reflect the highest ideals of themselves and Jones County Junior College.

DISCIPLINARY ACTIONS

The Vice President of Student Affairs by delegated authority is assigned the responsibility of dealing with all disciplinary matters concerning the behavior of individuals, groups and/or student organizations. Disciplinary probation, fines, or other action may be imposed by the Vice President of Student Affairs or his designee when involving minor infractions in lieu of an appearance before the disciplinary committee, provided the student agrees to such action as imposed. The student will sign a statement of acceptance which will be maintained in the confidentiality file in the Office of Student Affairs. Disciplinary probation as imposed by the Vice President of Student Affairs may be accompanied by whatever restrictions the Vice President of Student Affairs deems necessary to impose.

If disciplinary procedures are referred to the Student Affairs Committee, the committee may follow several courses of actions. Separation from the College may be imposed, which may take any of the following forms:

1. Suspension for the remainder of any semester in progress
2. Suspension for a longer, but definitely stated period of time
3. Indefinite suspension with a date established for the privilege of applying for readmission, such application to be reviewed and acted upon by the Committee
4. To recommend expulsion, which implies permanent separation from the College, The Vice President of Student Affairs or his designee will be present at each meeting to confer with the Chairman at his request about procedure. The Vice President of Student Affairs shall designate the person who will present evidence to the Committee on behalf of the College.

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Exhibit B

1. Members of the Student Council are requested to solicit recommendations from the academic and technical divisions. Student Council members may make nominations.
2. Students who have a minimum 3.5 GPA with 24 hours credit are automatically nominated by the college.
3. Nominees must be eligible for graduation in May or August of the current year.

The committee who selects "Who's Who" is comprised of faculty members representing the various divisions, personnel with direct student contact, and the Vice President of Student Affairs. A list of nominees is provided to the committee members that includes the name of the nominee, major course of study, grade point average, graduation eligibility, and known activities in which the nominee participates.

The Hall of Fame recipients are selected from Who's Who nominees and includes the students who have made major contributions to Jones while maintaining excellent grade point averages.

STUDENT ACTIVITY POLICIES

1. Scheduling and Planning
 - a. All college connected student activities conducted by a student organization at Jones County Junior College must be scheduled by the Vice President of Student Affairs. The Vice President of Student Affairs reserves the right to schedule or not schedule any activity. Where the activity is not scheduled, the sponsoring organization may request a hearing before the Student Affairs Committee. Only approved student organizations may conduct student activities on or off the campus.
 - b. Permission for student activities may be obtained by completing the "Activity/Speaker Application Form" available on the myJones *Insider*. All requests are due in the Office of the Student Affairs five days preceding the activity. All student activities will be scheduled on the activities calendar in the Office of Student Affairs by the designated advisor.
 - c. In the event that any organization may desire to appeal the decision of the Vice President of Student Affairs on any matter, this may be done by making a request in writing to the Vice President of Student Affairs within two days after

said decision is rendered. The Student Affairs Committee will act on the appeal no sooner than two days after the appeal is received by the Vice President of Student Affairs.

d. The administration holds the officers of organizations responsible for the planning, scheduling, and overall conduct of the activities of their organizations. The President of the organization has primary responsibility in seeing that these activities are in accord with college regulations.

e. The college forbids the possession and/or consumption of alcoholic beverages (including beer) on campus and/or at any activity off campus sponsored by a student organization functioning at the college. The college will cooperate fully with state, county, and city laws dealing with alcohol in any age determinants listed in the laws.

f. Sponsoring organizations are expected to maintain certain standards or discreetness with respect to dress and behavior.

g. Infractions of the student activity policies will be referred to the Student Affairs Committee.

2. Assemblies Regulations

a. Any student parade, serenade, demonstration, rally, and/or other meeting or gathering for any purpose, conducted on the campus of the institution must be scheduled with the President or Vice President of Student Affairs at least 72 hours in advance of the event. (Forms available in Student Affairs) Names of the responsible leaders of the groups must be submitted to the institution at the time of scheduling. Organizations which meet at regular times and places may, schedule such meetings with the Office of Student Affairs at the beginning of each year.

b. Students assembling for any meeting not authorized in accordance with paragraph one are subject to proper disciplinary action. Students present at such unauthorized meetings are considered to be participants.

c. Any student found guilty at any time of a violation of the law including, but not limited to, destroying or damaging property on the institution campus under any circumstances will be subject to disciplinary action which may result in dismissal from the institution.

d. All students are required to have their ID cards on their person at all times when outside the residence hall to

which they have been assigned by the institution. The same regulations apply to other students who are domiciled elsewhere. Failure to have the ID card on one's person may result in disciplinary action. Giving of false information concerning identification of oneself or anyone else will be grounds for disciplinary action.

e. Any non-student parade, serenade, demonstration, rally, and/or other meeting or gathering for any purpose, conducted on the campus of the institution must be scheduled with the President or Vice President of Student Affairs at least 14 days in advance of the event. Names of responsible leaders of the group must be submitted at the time of scheduling. The terms and conditions of all authorizations for such assemblies will be determined by the institution.

f. Persons who assemble for any such meetings and who fail to comply with the requirements of Section e shall be deemed guilty of trespass and subject to arrest under Section 6724, Mississippi Code of 1942 as amended.

3. Speakers Regulations - Inviting Procedure

a. Request - Prior approval of speakers must be obtained by completing the "Activity/Speaker Application Form" (available on myJones) 14 days prior to the date of proposed speaking engagement. The request shall include:

1. Name and address of speaker
2. Name of sponsoring organization
3. Proposed date
4. Time of meeting
5. Expected size of audience
6. Topic of speech

Decision Scheduled

1. The invitation may be issued.
2. If accepted, inform the Office of Student Affairs in writing of the acceptance.

Decision Not Scheduled

1. Appeal to Student Affairs Committee.

Dead Week

The week and weekend preceding final exams will be dead week when no activities will be held unless authorized by the President or the Vice President of Student Affairs.

ORGANIZATIONS AND CLUBS

The students of Jones are afforded the opportunity of participation in the institution decision making via the Student Government. The Student Government Association serves as an effective and responsible link between the student body and the school administration in changing student policies when the need for such becomes apparent. Recommendations proposed by the Student Government are forwarded to the Vice President of Student Affairs for consideration. The Vice President of Student Affairs then forwards the recommendations to the President of the College for his decision.

Jones County Junior College is committed to the ideal that total education involves more than the pursuit of an outlined college course of study. Therefore, the college provides a variety of extra-curricular activities to supplement the course of study. There is a diversity of student organizations and clubs provided to students on the Jones campus. These organizations and clubs offer students an opportunity to train in the process of democracy and in personal relationships. The principle vehicle of student activity at Jones is the student organizations that may avail themselves of all the privileges relating thereto. Student organizations are characterized by a written constitution and by-laws, officers, an advisor, and a program of projects and activities through which they attempt to carry out their objective. Copies of the Constitution and Policy Steps for chartering new organizations may be obtained in the Student Affairs Office.

Students are urged to become an active member of one or more clubs. By doing so, they contribute more to themselves as well as to the total college program. A calendar of student activities will be kept by the Vice President of Student Affairs. The material on the calendar will be listed on the college calendar which includes all public, student and faculty activities that require permission for the use of the junior college facilities.

A list of clubs and sponsors can be obtained online.

ELECTIONS

Student elections are conducted regularly during the fall and

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Exhibit C

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Confidentiality: The details relating to all disciplinary cases are confidential records and are maintained in the Office of Student Affairs. These files are not available to anyone outside the area of Student Affairs without the approval of the Vice President of Student Affairs.

The Student Affairs Committee shall be appointed by the college President. It shall be composed of a minimum of five members from the faculty. The chairman shall be appointed. Three members of the committee will constitute a quorum.

A student may appeal the decision of the Student Affairs Committee by presenting a written request to the Vice President of Student Affairs within five days after the decision is reached. The case and evidence will be reviewed through proper appeal channels.

MISCONDUCT

In order to protect the college's educational purposes and the college community, Student Code of Conduct cases may be referred to the Student Affairs Committee for action wherever it occurs when as a result of such conduct:

1. He/she is convicted of a felony.
2. He/she is formally charged by civil authorities with the commissions of a felony of such a nature that his/her continued presence at the College is potentially dangerous to the health and safety of the College community.
3. There is strong and convincing evidence that he/she has committed a felony of such a nature that his/her continued presence at the college is potentially dangerous to the health and safety of the college community but civil authorities have not brought charges or imposed penalties.
4. Students who have been charged or convicted of a felony will not be allowed to live in the residence halls at Jones County Junior College.
5. Interim Suspension: The Vice President of Student Affairs may suspend a student until due process is provided if it is determined that a student presents a clear and present danger to the institution by remaining in the College as a student before the Student Affairs Committee may meet.
6. The College reserves the right to search lockers, automobiles, rooms, individual persons and their possessions, by the appropriate personnel upon the

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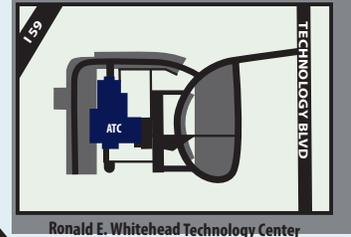
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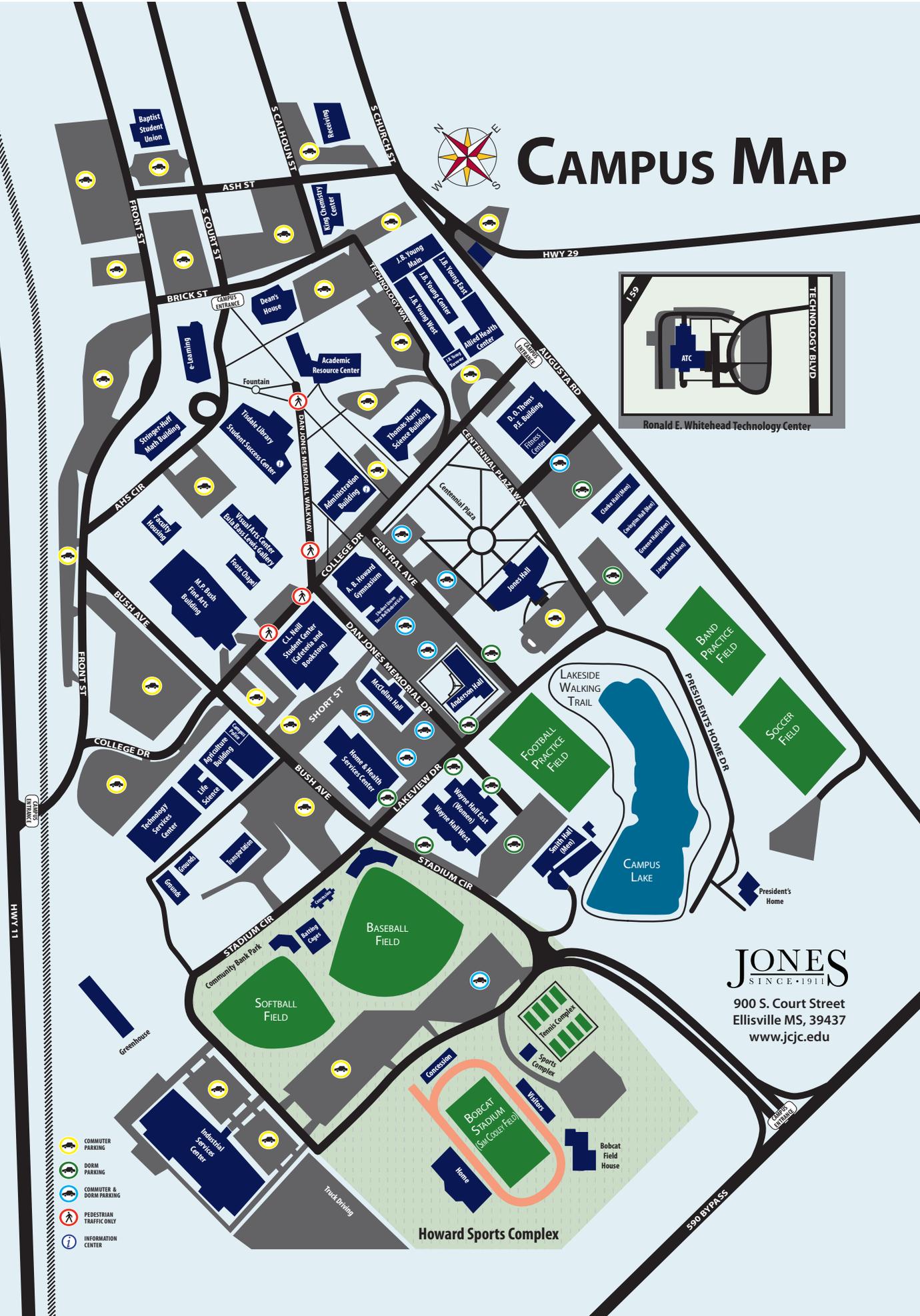
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Exhibit D

CAMPUS MAP



Ronald E. Whitehead Technology Center



- COMMUTER PARKING
- DORM PARKING
- COMMUTER & DORM PARKING
- PEDESTRIAN TRAFFIC ONLY
- INFORMATION CENTER

JONES
SINCE 1911

900 S. Court Street
Ellisville MS, 39437
www.jcjc.edu

Howard Sports Complex